

**OMNITEK ENGINEERING, INC.**  
**CONSULTING ENGINEERS**

Todd A. Lavieri, P.E.

Tel. (800) 654-5577

6304 – 22<sup>nd</sup> Avenue  
Kenosha, Wisconsin 53143-4849

Tel. (262) 657-5578  
Fax. (262) 654-3602

June 18, 2009

Mr. Jeffrey C. Arnold  
Fisher Kanaris, P.C.  
200 South Wacker Drive  
Chicago, Illinois 60606

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 471695  
OEI File No.: 06-1289

Dear Mr. Arnold:

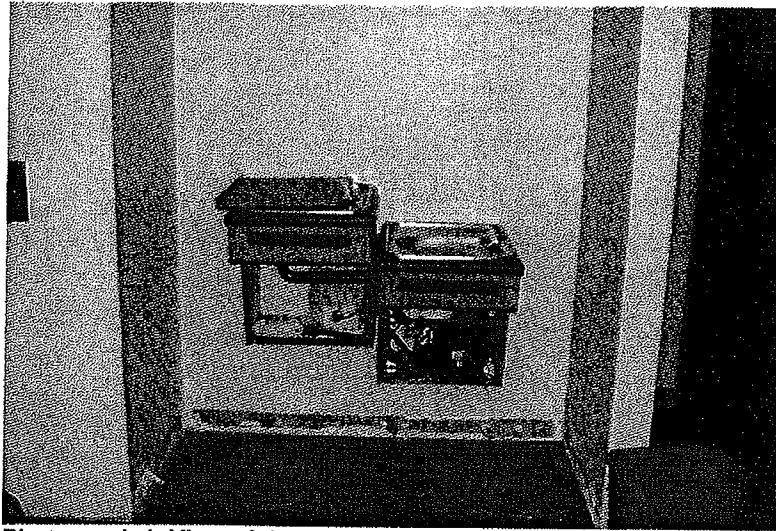
Pursuant to your request of April 14, 2006 the undersigned conducted an investigation of the referenced incident. The background information you provided at the time of this assignment indicated the State Bar of Wisconsin building, located at 5302 Eastpark Boulevard had sustained damage on April 2, 2006 as a result of a water leak from within a water cooler. The manufacturer of the subject water cooler reportedly had been identified as Elkay Manufacturing Company. The purpose of the undersigned's investigation was to determine, to whatever extent possible, the cause of the incident. The undersigned's contact at the State Bar of Wisconsin was to be Ms. Linda Tanner.

The undersigned visited the State Bar of Wisconsin on April 24, 2006 in order to conduct an examination of the subject water cooler installation. The subject water cooler was found to be the right unit of a two (2) station wall mounted water cooler. The right unit was found to be a self-contained unit and its cabinet contained all of the components necessary to supply cooled water to both the right and left units. These components included the refrigeration compressor, cooling unit, condenser and water temperature control.

Mr. Jeffrey C. Arnold

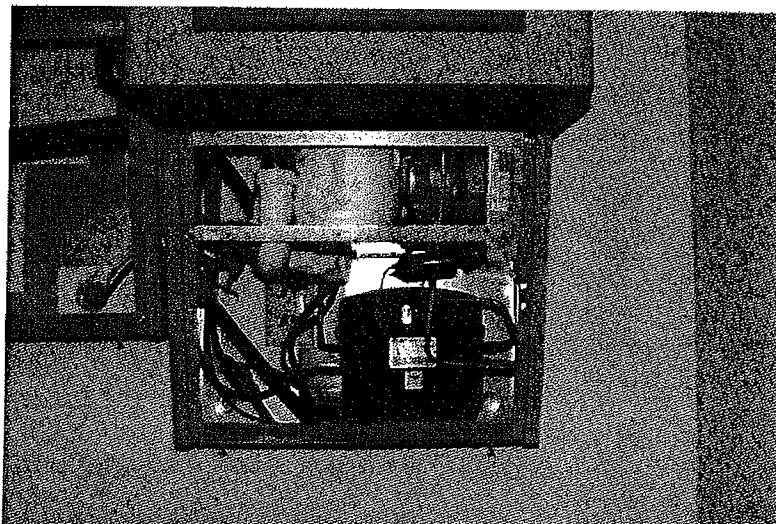
2

OEI File No.: 06-1289



**Photograph 1. View of the subject water cooler installation.**

The electrical and water supplies had been provided to the right unit. The electrical supply apparently had been provided from a wall receptacle located such that it was accessible from within the right unit cabinet. The right unit had a power cord with a plug to be used in conjunction with the receptacle. The water supply was provided from copper piping within the wall on which the water cooler was mounted. The water supply was found to be equipped with a stop valve. The location of the stop valve was such that it was accessible from within the right unit cabinet. The drains of both units were plumbed together and used drain piping within the wall that was also accessible from within the right unit cabinet.



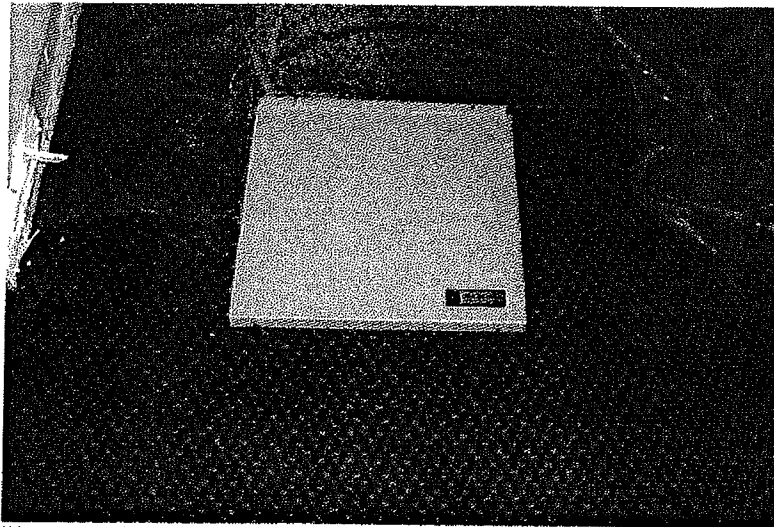
**Photograph 2. View of the interior of the right unit. The word "LEAK" was found to have been written on the insulation of the evaporator assembly.**

Mr. Jeffrey C. Arnold

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A nameplate found affixed to the front cabinet panel of the right unit displayed "ELKAY with FLEXI-GUARD."



Photograph 3. View of identifying information.

A label found affixed within the right unit displayed the following information:

EBFATL8-1B

980222052

EBFATL8G1Y



Photograph 4. View of identifying information.

Mr. Jeffrey C. Arnold

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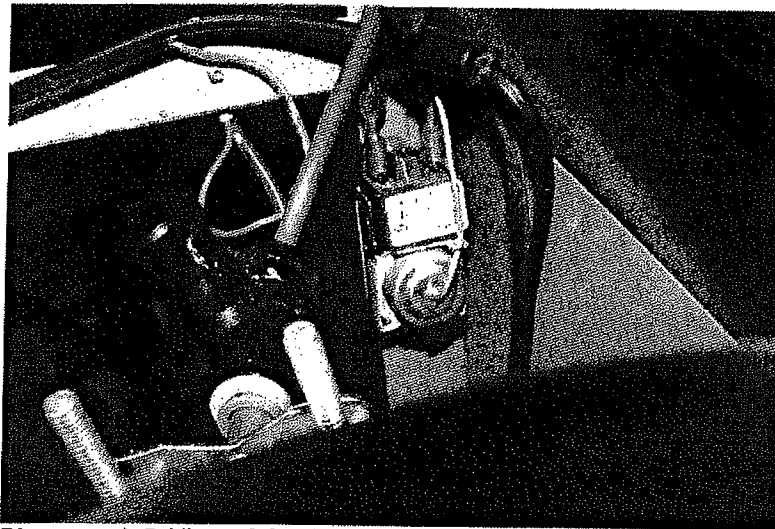
OEI File No.: 06-1289

The undersigned obtained additional information regarding the incident at the time of the April 24, 2006 visit to the State Bar of Wisconsin. Information provided by Ms. Tanner and Ms. Donna Jurek indicated the water leak had been identified as having been located within the right unit of the subject water cooler. The water leak had stopped when the water supply to the water cooler had been discontinued. In addition, subsequent to the incident, the water supply had been resumed temporarily to observe the leak. This resulted in the marking of the evaporator assembly with the word "LEAK" (See photograph 2).

The undersigned's April 24, 2006 examination of the subject water cooler installation was limited to a nondestructive visual examination. The right unit of the water cooler was removed by Mr. Mark Haferman of Action Plumbing at the conclusion of the examination. The right unit was then retained by Omnitek Engineering, Inc.

The subject water cooler was again examined on August 28, 2006. In addition to you and the undersigned, Mr. Steve Pashlok of Nada K. Sizemore and Mr. Dennis Skogen, P.E. of Skogen Engineering Group were present on behalf Elkay Manufacturing Company. The examination of the subject unit was limited to a visual non-destructive examination as Mr. Pashlok indicated he wanted the manufacturer of the thermostat, General Electric, to be present for any potentially destructive examination and/or testing.

The subject water cooler was again examined on June 18, 2007. This examination was attended by representatives of both Elkay Manufacturing Company and General Electric. The representatives of both Elkay Manufacturing Company and General Electric identified the thermostat as having been manufactured by General Electric.



Photograph 5. View of the thermostat.

The June 18, 2007 examination and testing confirmed the presence of a water leak within the subject water cooler. The location of the leak was found to be within the evaporator assembly. The insulation which enclosed the evaporator assembly was removed and the source of the water leak was identified as a failure of the chilled water coil. The water coil was

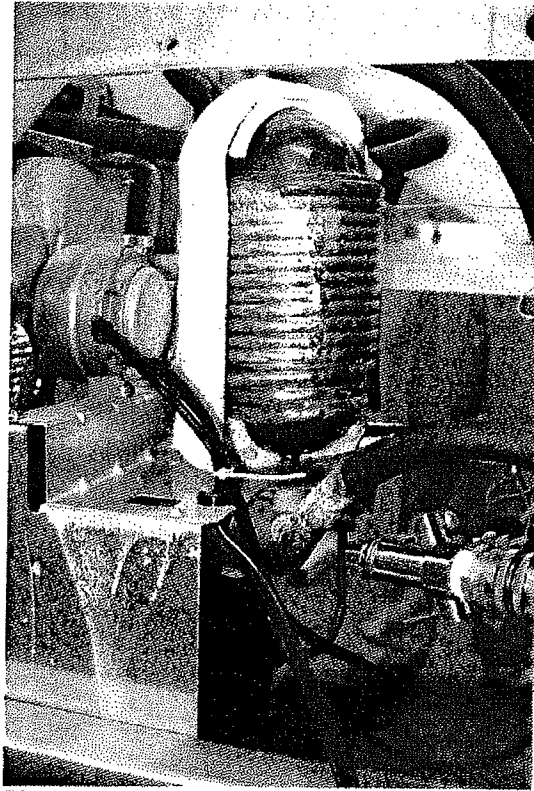


Mr. Jeffrey C. Arnold

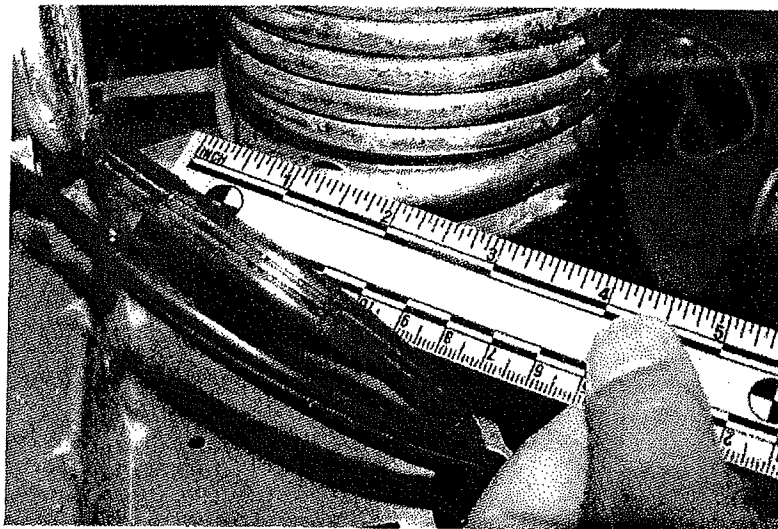
5

OEI File No.; 06-1289

used to flow water through the evaporator assembly thereby cooling it to supply to the water cooler bubbler assembly. The coil was found to exhibit a bulged appearance with a longitudinal crack (failure) of approximately one-quarter (1/4) inch in length.



**Photograph 5. View of the evaporator assembly with half of its insulation removed showing the chilled water coil.**

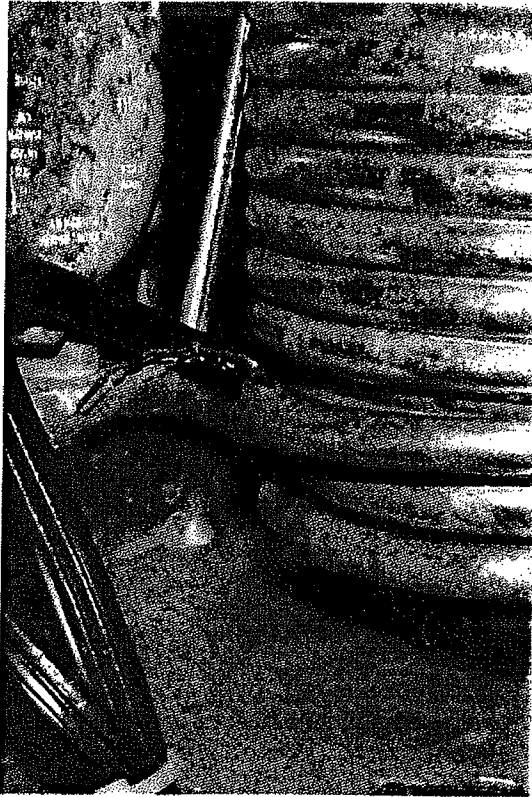


**Photograph 6. View of the failure in the chilled water coil.**

Mr. Jeffrey C. Arnold

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Photograph 7. View of the water leak from the coil due the its failure

### **CONCLUSION**

Based on the investigation conducted to date, it is reasonable to conclude the subject water cooler manufactured by Elkay Manufacturing Company was defective in design and that defect was the cause of the water damage sustained by the State Bar of Wisconsin building on April 2, 2006. This conclusion is supported by the following:

- 1) The water which damaged the State Bar of Wisconsin building on April 2, 2006 had reportedly been identified as having originated within the subject Elkay Manufacturing Company water cooler.
- 2) The subject water cooler was found to be a self contained wall mounted refrigerated water cooler installed at the State Bar of Wisconsin building and used for the purpose intended.
- 3) The presence of the reported water leak identified at the time of the incident was confirmed upon examination of the subject water cooler.

Mr. Jeffrey C. Arnold

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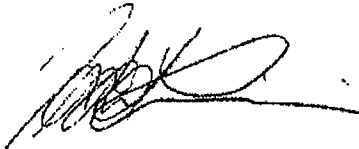
OEI File No.: 06-1289

- 4) The location of the leak within the subject water cooler was found to be within the evaporator assembly. Specifically, it was found to be a failure in the chilled water coil.
- 5) The failure within the chilled water coil was found to exhibit a bulged appearance with a longitudinal crack of approximately one-quarter (1/4) inch in length. The appearance of the failure was consistent with the water coil having been subjected to below-freezing temperatures which resulted in the coil failure.
- 6) The most probable cause of the presence of below-freezing temperatures within the chilled water coil was the failure of the water cooler thermostat.
- 7) The subject water cooler had no provisions to prevent freezing which would result in the failure of the coil in the event the thermostat failed as it did at the time of the incident. Furthermore, the design of the subject water cooler was such that in the event of a coil failure water would leak from within the unit due to the failure.

The above conclusions are based on the investigation to date and are subject to modification or amendment if additional information becomes available or additional investigation is conducted.

If you have any questions or require further assistance, please feel free to contact the undersigned.

Very truly yours,  
**OMNITEK ENGINEERING, INC.**



Todd A. Lavieri, P.E.  
Consulting Engineer

REP1289

## OMNITEK ENGINEERING, INC.

CONSULTING ENGINEERS

Todd A. Lavieri, P.E.

Tel. (800) 654-5577

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6304 - 22<sup>nd</sup> Avenue

Tel. (262) 657-5578

Kenosha, Wisconsin 53143-4849

Fax.(262) 654-3602

### **CURRICULUM VITAE** **TODD A. LAVIERI** **CONSULTING ENGINEER**

#### **PERSONAL:**

Residence: 26506 County Line Road  
Kansasville, Wisconsin 53139-9643  
(262) 878-0289

Date of Birth: October 13, 1957  
Chicago, Illinois

#### **EDUCATIONAL BACKGROUND:**

Northern Illinois University 1975-77  
DeKalb, Illinois

Southern Illinois University 1981  
Carbondale, Illinois  
B.S. Mechanical Engineering Technology

American Institute of Chemical Engineers 1982  
Continuing Education Program  
Fundamentals of Fire/Explosion Hazard Analysis

Society of Automotive Engineers 1987  
Continuing Education Programs - Glass Workshop



Curriculum Vitae of Todd A. Lavieri, P.E.

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University of Wisconsin - Milwaukee 1988  
Center for Continuing Engineering Education  
Basic Engineering Refresher

University of Wisconsin - Milwaukee 1988  
Center for Continuing Engineering Education  
Mechanical Engineering Refresher

University of Wisconsin – Madison 1989  
College of Engineering  
Department of Engineering Professional Development  
Product Safety and Liability Prevention:  
The Role of Warnings and Instructions

University of Wisconsin - Madison 1990  
College of Engineering  
Department of Engineering Professional Development  
Automatic Fire Suppression Systems

International Association of Arson Investigators 1993  
Wisconsin Chapter, Annual Seminar

Investigation the Black Hole  
Monty McGill, California Fire Marshal

Spontaneous Combustion of Forage Material  
Professor H.D. Bruhn, P.E.

Legal Aspects of Fire Investigation  
Attorney Robert Burrell (Civil),  
Borgelt, Powell, Peterson & Frauen. S.C.  
Attorney Gael Hoffman (Criminal),  
Assistant U.S. Attorney

New Realities in Fire Investigation  
Barker Davies, President, Barker & Herbert Laboratories

High Temperature Incendiaries  
Dr. R. Henderson, Pre. Southeast Research Laboratories  
Bill Dietz, Chief, ATF Forensic Laboratory

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Page 3

Investigator Safety and Motivation  
Bruce Varner, Chief, Carrollton, Texas Fire Department

International Association of Arson Investigators  
Wisconsin Chapter, Annual Seminar 1994

Scene Investigation  
David H. Campbell, Special Agent  
North Carolina Bureau of Investigation

Basic Fire/Arson Investigation Course  
Wisconsin Dept. of Justice, Division of Criminal Investigation  
Investigation from the Defense View  
Gerald Boyle, Attorney, Gerald Boyle, S.C., Milwaukee, WI

International Association of Arson Investigators  
Wisconsin Chapter, Annual Seminar 1996

Legal Aspects of the Black Hole Investigation  
William R. Cathcart, Attorney  
Cathcart, Gofton & Fraley, Oklahoma City, Oklahoma

Importance of Processing the Black Hole  
Kirk McDaniel, Mississippi Farm Bureau Insurance Company

Foundation Fires - Processing the Scene  
John M. Richardson, Oklahoma Farm Bureau Insurance Company

What's New in Electrical Fires?  
Gary Hacker, G.L. Hacker & Associates

Fire Scene Safety  
Terry Linsen, Lakeshore Technical College

University of Wisconsin - Madison  
College of Engineering  
Department of Engineering Professional Development  
Wisconsin Building Code Refresher 1998

International Association of Arson Investigators  
Wisconsin Chapter, Annual Seminar 1998

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Page 4

Building Construction and Fire Travel  
Mark Newell and Jeff Fennig, Milwaukee Police Dept.  
NFPA 921 Chapter 2 and Overview of 1998 Edition

University of Wisconsin - Madison 2001  
College of Engineering  
Department of Engineering Professional Development  
Wisconsin Building Code Refresher

University of Wisconsin - Madison 2004  
College of Engineering  
Department of Engineering Professional Development  
Wisconsin Building Code Refresher

International Association of Arson Investigators 2004  
Wisconsin Chapter, Annual Seminar

Origin and Cause  
Jack Sanderson, Fire Findings, LLC

Gas Appliances  
Jack Sanderson, Fire Findings, LLC

Heat Transfer Products, Inc., Munchkin Stainless Steel High 2007  
Efficiency Boiler Installation and Troubleshooting, Hot Water  
Products, Auer Steel, Sturtevant, WI

Carrier Variable Speed, Two Stage Electronic Condensing Furnace 2007  
Installation and Troubleshooting, Auer Steel, Milwaukee, WI

Investigating Residential Dryer Fires, Fire Findings Laboratories 2008  
Benton Harbor, Michigan

International Association of Arson Investigators 2008  
Wisconsin Chapter, Annual Spring Seminar, June

International Association of Arson Investigators 2008  
Wisconsin Chapter, Annual Fall Seminar, November

International Association of Arson Investigators 2009  
Wisconsin Chapter, Annual Spring Conference, June

Curriculum Vitae of Todd A. Lavieri, P.E.

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**REGISTRATION:**

|   |      |
|---|------|
| Registered Professional Engineer              | 1989 |
| State of Wisconsin Certificate No.: E - 26229 |      |

**PROFESSIONAL AND TECHNICAL SOCIETIES:**

|   |      |
|---|------|
| American Society of Mechanical Engineers                                | 1984 |
| National Fire Protection Association                                    | 1986 |
| National Society of Professional Engineers                              | 1989 |
| Wisconsin Society of Professional Engineers                             | 1989 |
| International Association of Arson Investigators                        | 1993 |
| International Association of Arson Investigators - Wisconsin Chapter    | 1993 |
| American Society of Heating, Refrig. & Air-Conditioning Engineers, Inc. | 1998 |

**TECHNICAL PRESENTATIONS:**

|  |      |
|--|------|
| "On Site Fire Investigation and Laboratory Investigation and Testing"<br>Related Sciences of Fire Investigation Seminar<br>Sponsored by R. Schwarz & Associates and the Glenbrook Fire Dept.   | 1984 |
| "The Importance of Scene Examination of Mechanical Equipment<br>Involved in Fires"<br>Western Loss Association - Annual Meeting/Seminar  | 1997 |
| "Fundamentals and Investigations of Gas Explosions"<br>International Association of Arson Investigators<br>Wisconsin Chapter, Annual Seminar   | 1998 |
| "Fundamentals and Investigations of Gas Explosions"<br>International Association of Arson Investigators<br>In cooperation with University of Illinois Fire Service Institute<br>Illinois Chapter, 17th Annual Fire Investigation Training Conference | 2000 |
| "Fundamentals and Investigations of Gas Explosions"<br>International Association of Arson Investigators<br>Wisconsin Chapter, Annual Seminar   | 2007 |

**CONFERENCES:**

|  |      |
|--|------|
| National Conference on Fire Investigation<br>Instruction, First Annual | 1990 |
|--|------|

Curriculum Vitae of Todd A. Lavieri, P.E.

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**SUMMARY OF EMPLOYMENT HISTORY:**

|   |              |
|---|--------------|
| Omnitek Engineering, Inc.<br>6304 - 22nd Avenue<br>Kenosha, Wisconsin   | 1986-present |
| Hazard Engineering, Inc.<br>6208 Lincoln Avenue<br>Morton Grove, Illinois<br>Consulting Engineer                                  | 1981-1986    |
| Southern Illinois University<br>Carbondale, Illinois<br>Full time student   | 1977-1981    |
| Northern Illinois University<br>Dekalb, Illinois<br>Full time student   | 1975-1977    |
| The Spot Restaurant<br>Evanston, Illinois<br>Kitchen & delivery   | Summer 1976  |
| Peter Hand Brewery<br>Chicago, Illinois<br>Bottling line, box factory, fork lift operator   | Summer 1975  |
| Inhalation Plastics, Inc./Inhalation Therapy, Inc.<br>Niles, Illinois<br>Assembly line, delivery, injection mold machine operator | 1970-1975    |

**PROFESSIONAL EXPERIENCE:**

Omnitek Engineering, Inc. - Consulting Engineer

Provide mechanical engineering consulting services in the field of Forensic Engineering.  
Responsibilities include the following:

Examination of mechanical equipment involved in fires and explosions including residential and industrial heating, ventilation and air conditioning equipment and other fuel fired equipment and appliances.



Curriculum Vitae of Todd A. Lavieri, P.E.

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Examination and testing of industrial machines, commercial equipment, consumer products and vehicles.

Examination of piping and plumbing systems and fixtures.

Design analysis and evaluation which may include load and stress computations, fluid dynamics, heat power and heat transfer, stability, material selection, human factors, electric, hydraulic and pneumatic control circuit characteristics, research and computer modeling.

Laboratory testing which may include the development of test procedures and the design of test fixtures.

Familiarity with National Fire Codes (NFC), American National Standards (ANSI), Occupational Safety and Health Administration Standards (OSHA) General Industry and Construction and Underwriters Laboratories Standards (UL).

Preparation of technical reports, presentation of findings to clients, and deposition and courtroom testimony.

Hazard Engineering, Inc. - Consulting Engineer

Provided mechanical engineering consulting services in the field of Forensic Engineering. Responsibilities included the following:

Investigations of mechanical equipment involved in fires and explosions

Investigations of consumer product injury incidents

Investigations of industrial injury and property loss incidents

Investigations of construction injury and property loss incidents

Investigations of vehicle collisions and roll-overs

Preparation of technical reports and presentation of findings to clients

Provided deposition and courtroom testimony

**PARTIAL LIST OF INVESTIGATIONS SINCE 1981:**

Mechanical equipment involved in fires and explosions:

Natural gas-fired appliances and equipment including gas pressure regulators, furnaces, space heaters, construction heaters, unit heaters, hot water and steam boilers, residential and commercial cooking equipment, outdoor grills, residential and commercial clothes dryers, water heaters, distillation equipment, process dryers, pollution control incinerators, pool heaters, wood-fired boilers, fireplaces, decorative gas-fired appliances, fireplace log lighters, bakery ovens, forklift trucks, gasoline fueled electric generators, gasoline powered equipment and heavy equipment.

LP gas-fired appliances and equipment including, gas pressure regulators, space heaters, construction heaters, unit heaters, hot water boilers, residential and commercial cooking equipment, outdoor grills, residential clothes dryers, water heaters, pool heaters, fireplaces, decorative gas-fired appliances, fireplace log lighters.

Wood-fired appliances including fireplaces, stoves and boilers, smokers, crematories, commercial wood grills and pizza ovens, and associated chimneys.

Kerosene- fired space heaters

Rotary screw air compressors. tub grinders, manure fired boiler systems

Carbon Monoxide incidents.

Fires occurring in vehicles

Automatic Restaurant Fire Suppression Systems and building fire sprinkler systems.

Water supply and plumbing systems including piping, water supplies, valves, water softeners, sump pumps, dishwashers, fixtures and appliances.

Control systems, safeguards, instructions and warnings of industrial machines and equipment and consumer products, including:

Table saws, routers, cut-off saws, grinders, trim presses, power presses, die casting machines, injection molding machines, conveyors, printing presses, power lawn mowers, snow throwers, chopper/shredders, stump grinders, power nailers, aerial work platforms, scaffolds, ladders, hoists, food processing equipment, HVAC and refrigeration systems, power painting equipment, and packaging machines.

Curriculum Vitae of Todd A. Lavieri, P.E.

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Failure of glassware - glazing, carbonated beverage bottles, coffee pots, and sight glass.

Vehicle accidents involving collisions and roll-overs.

**COURT EXPERIENCE:**

1. Circuit Court of Cook County  
Illinois County Department, Law Division  
Richard J. Daley Center  
Chicago, Illinois
2. The Iowa District Court  
County of Polk  
Des Moines, Iowa
3. Circuit Court for the Sixteenth Judicial Court  
County of Kane  
Geneva, Illinois
4. Circuit Court for the Fourteenth Judicial Circuit  
County of Whiteside  
Morrison, Illinois
5. State of Wisconsin  
Circuit Court  
Eau Clair County
6. State of Wisconsin  
Circuit Court  
Kenosha County
7. Circuit Court  
County of DuPage  
Wheaton, Illinois
8. State of Indiana  
Sullivan Superior Court  
Sullivan, Indiana
9. State of Wisconsin Circuit Court  
Winnebago County

Curriculum Vitae of Todd A. Lavieri, P.E.

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10. State of Michigan Circuit Court  
Grand Traverse County  
Traverse City, Michigan
11. State of Illinois  
Circuit Court of Thirteenth Judicial District  
Will County  
Joliet, Illinois
12. State of Wisconsin  
Circuit Court Branch 17  
Dane County  
Madison, Wisconsin
13. State of Wisconsin  
Circuit Court  
Barron County  
Barron, Wisconsin
14. United States District Court  
Eastern District of Arkansas  
Little Rock, Arkansas
15. Court of Common Pleas  
Cuyahoga County  
Cleveland, Ohio
16. State of Wisconsin  
Circuit Court  
Walworth County  
Elkhorn, Wisconsin
17. State of Wisconsin  
Circuit Court  
Juneau County  
Mauston, Wisconsin
18. State of Wisconsin  
Circuit Court  
Brown County  
Green Bay, Wisconsin

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19. State of Wisconsin  
Circuit Court  
Washington County  
West Bend, Wisconsin

0510



**DEPOSITION AND TRIAL TESTIMONY LISTING OF TODD A. LAVIERI, P.E.**  
**May 2006 THROUGH APRIL 2010**

**May 26, 2006 Deposition Testimony**

American Family Mutual Insurance Company and David Ronaldson vs. David Golke, Joseph Golke, Charles Golke, Golke Brothers roof & Siding LLC, Indiana Insurance Company, ABC Insurance Company and ABC Company.  
State of Wisconsin Circuit Court for Waupaca County, Wisconsin  
Case No.: 03-CV-112

**Deposition Testimony November 27, 2006**

Mohr Anderson LLC  
Merrimac Mutual Ins. Co.  
Insured: Esguerra  
Claim No.: 040012  
Policy No.: HO-01442

**Deposition Testimony December 6, 2006**

Piper & Schmidt  
Insured: Garrigan  
Claim No.: 23-537-05

**Deposition Testimony December 8, 2006**

Leahy, Eisenberg & Fraenkel, Ltd.  
Factory Mutual Insurance Co., et al v. York International Corp  
Factory Mutual Insurance Co. Insured: Sisters of the Sorrowful Mother  
Court No.: 06 CV 1440

**Deposition Testimony May 2, 2007**

Winner, Wixson & Pernitz  
Insured: Ort Lumber, Inc.  
Penn Lumbermans Claim No.: 300565-03

**Trial Testimony May 29, 2007**

Lloyd Phenicie Lynch Kelly & Hotvedt, SC  
Kevin McKillip v Jeremy Bauman, et al.  
Case No.: 2003-CV-675

**Trial Testimony July 7, 2007**

Axley Brynson, LLP  
Auto Owners Insurance Co. v.  
General Casualty Company of Wisconsin

**DEPOSITION AND TRIAL TESTIMONY LISTING OF TODD A. LAVIERI, P.E.**  
**May 2006 THROUGH APRIL 2010**

**Deposition Testimony August 13, 2007**

Metlife Auto & Home

David Norsetter, et al v. Gehin Roofing & Siding, Inc. et al

Case No.: 06-CV-1525

**Deposition Testimony August 16, 2007**

Mathiesen, Wickert, Lehrer, S.C.

Insured: William and Patricia Murphy

Claim No. 66F 285 180-318

**Deposition Testimony June 21, 2007**

Trial Testimony 09-21-07

Crivello Carlson & Mentkowski, S.C.

VanDeHei, et al v Gagnon Clay Products, et al

Brown County Case No.: 06-CV-000335

**Deposition Testimony February 20, 2008**

Borgelt Powell Peterson & Frauen SC

Insured: Kent Haugen/Colleen Hammer

**Deposition Testimony January 29, 2009**

Cozen O'Connor, P.C.

Foremost Insurance

Insured: Joseph Bong

Claim No.: 7652016

**Deposition Testimony July 14, 2009**

Yost & Bail

Thomas Shriner

**Deposition Testimony September 16, 2009**

Meier v, Madison Gas & Electric, et al

Wisconsin Dane County Circuit Court 2007CV001872

**Deposition Testimony October 1, 2009**

West Bend Mutual Insurance Company

Best Ever Painting, Inc.

Claim No.: 0110116570

**DEPOSITION AND TRIAL TESTIMONY LISTING OF TODD A. LAVIERI, P.E.**  
**May 2006 THROUGH APRIL 2010**

**Deposition Testimony July 30, 2008**

**Trial Testimony March 23, 2010**

Washington County Circuit Court, West Bend, WI.

Cozen O'Connor/Ace Westchester

Insured: Goeman's Wood Products

Claim No.: JY04J0040260

# INVOICE

OMNITEK ENGINEERING, INC.  
CONSULTING ENGINEERS  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

To: Mr. Jeff Arnold  
Fisher Kanaris, P.C.  
22<sup>nd</sup> Floor  
200 South Wacker Drive  
Chicago, Illinois 60606

File No.: 06-1289

Date: June 5, 2006

Terms: Due on Receipt

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 47165

Page 1 of 2

| <u>DATE</u>                 | <u>DESCRIPTION</u>  | <u>HOURS</u> |
|-----------------------------|---|--------------|
| 04-14-06                    | Telecom with Mr. Arnold to discuss background information, assignment and scheduling.   | 0.25         |
| 04-24-06                    | Telecom with Ms. Linda Tanner of the State Bar of Wisconsin regarding scheduling of inspection and removal of the subject drinking water cooler.<br><br>Inspect the subject drinking water cooler installation and observe the removal of the subject drinking water cooler by Mr. Mark Haferman of Action Plumbing.<br><br>Retain the subject drinking water cooler. | 6.00         |
| 04-25-06                    | Inventory and retain the subject drinking water cooler at Omnitek Engineering, Inc.   | 0.25         |
| 04-26-06                    | Telecom with Mr. John Hettig of Hepex, Inc. on behalf of Elkay Manufacturing, Co. requesting identifying information displayed on the cold control of the subject drinking water cooler.  | 0.25         |
| 04-27-06<br>and<br>04-28-06 | Telecom with Mr. Arnold to receive direction and authority to provide Hepex, Inc. with requested information.<br><br>Examine subject drinking water cooler to obtain identifying information displayed on the cold control of the subject drinking water cooler.  | 1.50         |

# INVOICE

**OMNITEK ENGINEERING, INC.**  
**CONSULTING ENGINEERS**  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

**To: Mr. Jeff Arnold**  
**Fisher Kanaris, P.C.**  
**22<sup>nd</sup> Floor**  
**200 South Wacker Drive**  
**Chicago, Illinois 60606**

**File No.: 06-1289**

**Date: June 5, 2006**

**Terms: Due on Receipt**

**Reference: Cincinnati Insurance**  
**Insured: State Bar of Wisconsin**  
**Claim No.: 47165**

**Page 2 of 2**

| <u>DATE</u>  | <u>DESCRIPTION</u>  | <u>HOURS</u>       |
|--|---|--------------------|
| 04-27-06<br>and  | Research general information pertaining to the subject drinking water cooler  |                    |
| 04-28-06<br>(Cont.)  | Telecom with Paul of Hepex, Inc. to provide identifying information displayed on the cold control of the subject drinking water cooler. |                    |
| 05-31-06   | Archive digital photographs taken during the April 24, 2006 inspection and removal of the subject drinking water cooler.                | 0.25               |
| Total Engineering Hours  |   | 8.50               |
| Engineering Hours 8.50 @ \$180.00/Hour   |   | \$1,530.00         |
| Photograph Expenses  |   | 50.00              |
| Travel   |   | 84.75              |
| Storage Costs 2 <sup>nd</sup> Qtr 2006 2 Sq. Ft. @ \$50.00/ Sq. Ft./Qtr.<br>pro-rated 04-24-06 to 06-30-06 |   | 73.63              |
| <b>Total Invoice</b>   |   | <b>\$ 1,738.38</b> |

INV1289



# INVOICE

OMNITEK ENGINEERING, INC.  
CONSULTING ENGINEERS  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

To: Mr. Jeff Arnold  
Fisher Kanaris, P.C.  
22<sup>nd</sup> Floor  
200 South Wacker Drive  
Chicago, Illinois 60606

Invoice No.: 09-1289ST4

Date: November 9, 2009

Terms: Due on Receipt

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 47165  
OEI File: 06-1289A

Page 1 of 1

**DATE**

**DESCRIPTION**

11-09-09 4<sup>th</sup> Quarter 2008 and 2009 storage for the following item obtained  
on April 24, 2006 by Omnitek Engineering, Inc. from the incident scene:

**One (1) drinking water cooler.**

at a rate of two (2) Sq. Ft. @ \$50.00/ Sq. Ft./Qtr.

\$ 500.00

**Total Invoice**

**\$ 500.00**

09INV1289ST4

# INVOICE

OMNITEK ENGINEERING, INC.  
CONSULTING ENGINEERS  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

To: Mr. Jeff Arnold  
Fisher Kanaris, P.C.  
22<sup>nd</sup> Floor  
200 South Wacker Drive  
Chicago, Illinois 60606

Invoice No.: 10-1289ST1

Date: March 15, 2010

Terms: Due on Receipt

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 47165  
OEI File: 06-1289A

Page 1 of 1

**DATE**

**DESCRIPTION**

03-15-10 1<sup>st</sup> Quarter 2010 storage for the following item obtained  
on April 24, 2006 by Omnitek Engineering, Inc. from the incident scene:

**One (1) drinking water cooler.**

at a rate of two (2) Sq. Ft. @ \$50.00/ Sq. Ft./Qtr.

\$ 100.00

**Total Invoice**

**\$ 100.00**

10INV1289ST1

# INVOICE

OMNITEK ENGINEERING, INC.  
CONSULTING ENGINEERS  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

To: Ms. Katherine Crouch  
Grotefeld, Hoffman, Schleiter, Gordon & Ochoa LLP  
311 South Wacker Drive  
Chicago, Illinois 60606

File No.: 06-1289C

Date: May 7, 2010

Terms: Due on Receipt

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 47165

Page 1 of 1

| <u>DATE</u>                                 | <u>DESCRIPTION</u>  | <u>HOURS</u>   |
|---|---|----------------|
| 04-05-10                                    | Review e-mail correspondence with proposed protocol for the testing of the water cooler GE thermostat.<br><br>Review file.<br><br>Telecom with Kate Crouch of Grotefeld, Hoffman, Schleiter, Gordon & Ochoa LLP to discuss protocol and status of file. | 1.00           |
| 05-06-10                                    | Telecom with Ms. Crouch requesting fee schedule, CV of Todd A. Lavieri, P.E. and four (4) list of deposition/trial testimony.   | N/C            |
| 05-07-10                                    | Prepare and provide information as requested by Ms. Crouch  | 1.00           |
| Total Engineering Hours                     |   | <hr/> 2.00     |
| Engineering Hours: 2.00 @ \$200.00 per hour |   | \$400.00       |
| Storage 2 <sup>nd</sup> Quarter 2010        |   | 100.00         |
| Total Invoice                               |   | <hr/> \$500.00 |

INV1289C

# INVOICE

OMNITEK ENGINEERING, INC.  
CONSULTING ENGINEERS  
6304-22nd AVENUE  
KENOSHA, WISCONSIN 53143-4849  
800/654-5577 262/657-5578

To: Mr. Jeff Arnold  
Fisher Kanaris, P.C.  
22<sup>nd</sup> Floor  
200 South Wacker Drive  
Chicago, Illinois 60606

File No.: 06-1289B

Date: June 18, 2009

Terms: Due on Receipt

Reference: Cincinnati Insurance  
Insured: State Bar of Wisconsin  
Claim No.: 47165

Page 1 of 2

| <u>DATE</u>                         | <u>DESCRIPTION</u>  | <u>HOURS</u>       |
|-------------------------------------|---|--------------------|
| 07-13-07                            | Telecom with Mr. Arnold to discuss status of investigation.                                 | 0.50               |
| 10-20-09                            | Review correspondence sent via email.   | 0.50               |
|                                     | Telecom with Mr. Arnold to discuss  |                    |
| 05-18-09                            | Review file and begin preparation of report summarizing investigation and findings to date. | 2.50               |
| 06-18-09                            | Complete report summarizing investigation and findings to date.                             | 2.00               |
|                                     | Provide to Mr. Arnold via email correspondence.   |                    |
| Total Engineering Hours             |   | 5.50               |
| Engineering Hours 5.50 @ \$200/Hour |   | \$1,100.00         |
| <b>Total Invoice</b>                |   | <b>\$ 1,100.00</b> |

INV1289B